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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/573,613

02/02/2007

Walter Trauninger

57428/M521

9782

23363 7590 04/14/2010
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EXAMINER

DOWLING, WILLIAM C

ART UNIT

PAPER NUMBER

2878

MAIL DATE

DELIVERY MODE

04/14/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/573,613	Applicant(s) TRAUNINGER, WALTER	
	Examiner William C. Dowling	Art Unit 2878	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 17-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 17-26 is/are allowed.
- 6) ☒ Claim(s) 27, 28 and 30-33 is/are rejected.
- 7) ☒ Claim(s) 29 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 February 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>32706/6806/81106</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 27-28, 30, 31-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blaschek (5,225,860) in view of Brown et al. (5,226,979).

Blaschek (5,225,860) disclose film transport mechanism comprising:

at least one transport claw (2) for the intermittent transport of a motion picture film, parallel to the lateral edges of which at least one film perforation(10) is provided,

at least one locking claw which dips into the film perforation (10) with a locking claw tip (Column 5 Lines 8-12)

Blachek does not describe details of a film guide for controlling the movement of the film past the aperture.

It is well known within the art to providing supporting film guide means in a film transport system in order to provide stable alignment of the film relative to an aperture.

Brown et al. (5,266,979) teach a film gate formed at an aperture (28) and comprising a film guide aligning the motion picture film, wherein the position of the film guide is changeable in relation to the lateral edges of the motion picture film.

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It would have been obvious to one skilled in the art at the time of the invention to modify the film transport device of Blaschek within a structure having a film guide, as taught by Brown et al., in order to provide for image stabilization during exposure.

As regards claims 27, 28, and 30, as noted above, Blaschek disclose a method of moving a film, which is transported intermittently by a film-feeding mechanism having at least one transport claw and which has at least one film perforation parallel to its lateral edges, into which perforation at least one locking claw dips with a locking claw tip

Brown et al. (5,266,979) discloses a method for aligning the film guide of a motion picture film, the method comprising:

changing the position of the film guide during the film transport perpendicular to the lateral edges of the motion picture film (column 14 lines 5-13), wherein the changing of the position is performed in response to the mechanical noise produced during -film transport (column 14 Lines 31-40). The mechanical noise is caused by weave and jitter (vibration) which is reduced due to the manual movement of the floating guide means.

It would have been obvious to one skilled in the art at the time of the invention to modify the film transport device of Blaschek within a structure having a film guide, as taught by Brown et al., in order to provide for image stabilization during exposure.

Allowable Subject Matter

3. Claim 29 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. Claims 17-26 are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William C. Dowling whose telephone number is 571-272-2116. The examiner can normally be reached on MON-THURS.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Epps can be reached on 571-272-2328. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/William C. Dowling/
Primary Examiner, Art Unit 2878

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